

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JAMES REED et al.,

Plaintiffs,

v.

RELIANT LIFE SHARES LLC et al.,

Defendants.

Case No. 2:23-cv-08577-SB-AGR

ORDER TO SHOW CAUSE RE
FAILURE TO SERVE

In its February 2, 2024 order granting Plaintiffs leave to file a Second Amended Complaint (SAC), the Court ordered that “[a]fter filing the SAC, Plaintiffs shall promptly serve it on all Defendants and file proof of such service by March 1, 2024. Dkt. No. 65 at 5 n.5. Plaintiffs timely filed their SAC on February 15, but they have not filed proof of service as to any Defendant as ordered. Defendants UMB Bank, N.A. and Bank of Utah have moved to dismiss the SAC, Dkt. Nos. 72, 78; Defendants Reliant Life Shares, LLC and Scott Grady have answered the SAC, Dkt. Nos. 90, 96; and Defendant First Western Trust Bank was voluntarily dismissed, Dkt. No. 87. As to these Defendants, Plaintiffs’ failure to file proofs of service—although noncompliant—is excused.

As to the other Defendants named in the SAC, none of whom have appeared, Plaintiffs have provided no proof of service and no explanation of their failure to comply with the Court’s March 1 deadline, which has long passed. Accordingly, Plaintiffs shall show cause at a hearing on April 5, 2024, at 8:30 a.m. (the same time as the hearing on the pending motions to dismiss) why their claims against Defendants RLS Grantor, LLC, RMS Trust, Sean Michaels, Wilmington Savings Fund Society, and Andrew Murphy should not be dismissed without prejudice for lack of prosecution. Plaintiffs shall file a written response to this order to show cause no later than March 29, 2024.

Date: March 25, 2024



Stanley Blumenfeld, Jr.
United States District Judge